

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	§	Chapter 11
	§	
TMT PROCUREMENT CORP., <i>et al.</i>, ¹	§	Case No. 13-33763
	§	
	§	
DEBTORS.	§	Jointly Administered

**DEBTORS' EMERGENCY MOTION TO CONTINUE HEARING ON CERTAIN
RETENTION APPLICATIONS FILED BY THE DEBTORS,
FROM AUGUST 21, 2013 TO AUGUST 28, 2013**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

EMERGENCY RELIEF HAS BEEN REQUESTED. IF THE COURT CONSIDERS THE MOTION ON AN EMERGENCY BASIS, THEN YOU WILL HAVE LESS THAN 21 DAYS TO ANSWER. IF YOU OBJECT TO THE REQUESTED RELIEF OR IF YOU BELIEVE THAT THE EMERGENCY CONSIDERATION IS NOT WARRANTED, YOU SHOULD FILE AN IMMEDIATE RESPONSE.

¹ The Debtors in these chapter 11 cases are: (1) A Whale Corporation; (2) B Whale Corporation; (3) C Whale Corporation; (4) D Whale Corporation; (5) E Whale Corporation; (6) G Whale Corporation; (7) H Whale Corporation; (8) A Duckling Corporation; (9) F Elephant Inc.; (10) A Ladybug Corporation; (11) C Ladybug Corporation; (12) D Ladybug Corporation; (13) A Handy Corporation; (14) B Handy Corporation; (15) C Handy Corporation; (16) B Max Corporation; (17) New Flagship Investment Co., Ltd; (18) RoRo Line Corporation; (19) Ugly Duckling Holding Corporation; (20) Great Elephant Corporation; and (21) TMT Procurement Corporation.

TMT Procurement Corp., *et al.*, the above-captioned debtors and debtors in possession (together, the “Debtors”), hereby file this emergency motion for an order continuing the hearing on certain Retention Applications (defined below) filed by the Debtors, from August 21, 2013 to August 28, 2013 (the “Motion”). In support of this Motion, the Debtors would show as follows:

I. RELIEF REQUESTED AND BASIS THEREFOR

1. The Debtors respectfully request that the Court enter an order continuing the hearing on certain Retention Applications filed by the Debtors, from August 21, 2013 to August 28, 2013, at 1:30 p.m., a preset hearing date in these cases.

2. The Debtors have two retention applications on the Court’s calendar for August 21, 2013: (a) Bracewell & Giuliani LLP, as attorneys for the Debtors (Dkt. No. 128); and (b) AlixPartners, LLP, as the Debtors’ financial advisors (Dkt. No. 130) (together, the “Retention Applications”). There are several other matters set for hearing on August 21, 2013. The Debtors anticipate a contested cash collateral hearing with valuation testimony over the good faith collateral. In addition, the Debtors have filed an emergency motion in the adversary case to set a preliminary injunction hearing that day.

3. The Debtors request a continuance on the Retention Applications to August 28, 2013, at 1:30 p.m., a preset hearing date in these cases, to allow the parties and the Court to focus their efforts on the other substantive matters in these cases. A hearing on the Retention Applications on August 28, 2013 makes sense because the Court will already hear three retention applications filed by the unsecured creditors committee that day: (a) (i) Seward & Kissel LLP and (ii) Kelley Drye & Warren LLP, as co-counsel to the unsecured creditors committee (Dkt. Nos. 144 and 147, respectively); and (b) FTI Consulting, Inc., as financial advisor to the unsecured creditors committee (Dkt. No. 198).

II. EMERGENCY CONSIDERATION REQUIRED

4. The Debtors request emergency consideration of this Motion. The hearing on the Retention Applications is currently set for Wednesday, August 21, 2013 at 1:30 p.m.; therefore, the Debtors' requested relief is needed on or before Wednesday, August 21, 2013.

III. PRAYER

WHEREFORE, the Debtors request that this Court enter an Order, in substantially the form attached hereto, continuing the hearing on the Retention Applications filed by the Debtors to August 28, 2013, at 1:30 p.m., a preset hearing date in these cases, and granting such other and further relief as the Court may deem just and proper.

Respectfully submitted,

BRACEWELL & GIULIANI LLP

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**PROPOSED COUNSEL FOR THE DEBTORS
AND DEBTORS IN POSSESSION**

CERTIFICATE OF SERVICE

The undersigned certifies that on August 9, 2013, a true and correct copy of this document was served on all parties on the attached master service list by electronic means as listed on the court's ECF noticing system, and/or by electronic mail as indicated.

/s/ Jason G. Cohen
Jason G. Cohen